

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JERRY WAYNE CLIFFORD,

Plaintiff,

v.

CAROLINE W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Case No. 14-5308 RBL-KLS

REPORT AND RECOMMENDATION

This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the stipulated motion for remand (ECF 25) for a *de novo* hearing and issue of a new decision.

After reviewing the parties' stipulated motion and the remaining record, the undersigned recommends that the Court grant the parties' motion.

This Court recommends that on remand the ALJ will evaluate Plaintiff's chronic complex pain disorder, with long term treatment described in treatment notes (Tr. 441-800). The ALJ will further consider all of Plaintiff's medically determinable impairments at steps 2 and 3 of the sequential evaluation process.

In addition, the ALJ will further evaluate the opinion evidence, including the opinion of consultative source, John T. Lloyd, Ph.D., (Tr. 833-40), note the weight assigned to it and explain why any limitations within the opinion are not adopted. The ALJ will further evaluate

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1 the opinion of treating source James K. Rotchford, M.D., (Tr. 1082-83), and in so doing will
2 further evaluate Dr. Rotchford's treatment records from Olympic Pain & Addiction Services (Tr.
3 441-800).

4 The ALJ will re-evaluate Plaintiff's subjective complaints and further consider the
5 maximum residual functional capacity throughout the period at issue. If necessary, the ALJ
6 should obtain supplemental vocational expert evidence to determine whether Plaintiff can
7 perform other work at step 5 of the sequential evaluation process and will further consider
8 Plaintiff's history of substance abuse pursuant to SSR 13-2p.
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10 Plaintiff will be entitled to reasonable attorney's fees and costs pursuant to 28 U.S.C. §
11 2412(d), upon proper request to this Court.

12 Given the fact of the parties' stipulation, the Court recommends that the District Judge
13 immediately approve this Report and Recommendation and order the case **REVERSED** and
14 **REMANDED**. A proposed order accompanies this Report and Recommendation.
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16 DATED this 6th day of October, 2014.

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19 Karen L. Strombom
20 United States Magistrate Judge
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